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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/486,763	03/02/2000	THOMAS KNEIDEL	C-3717	4545

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EXAMINER

LIN, KENNY S

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 01/30/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/486,763

Applicant(s)

KNEIDEL, THOMAS

Examiner

Kenny Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claim 1 is presented for examination.
2. It is noted that the present application does not contain line numbers in the specification and claims. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering. Furthermore, the preferred format for numbering the lines of the claims is to number each line of every claim, with each claim beginning with line 1.
3. The disclosure is objected to because of the following informalities: The specification is objected to because of improper arrangement. Appropriate correction is required.
4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables

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having more than 50 pages of text are permitted to be submitted on compact discs.) or

REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following claim language renders claim indefinite:

- i. Inconsistent use of the term "users (A, B)" and "user (A, B)" causes difficulty to understand whether a request is from a user or users (i.e., change "the user (A, B)" in line 8 to "a user (A)" and all terms referring to it).

- ii. The use of the phrase “characterized in that” is inappropriate since 35 U.S.C. 112, second paragraph, requires the claim to particularly point out and distinctly claim the invention, not merely its characteristics. Furthermore, if this word is eliminated, then the remaining format of the claim should be modified in order to reflect this correction.
- iii. The claim contains run on sentence due to misuse of punctuation. Correction is required to uniquely distinguish the steps.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau et al, U.S. Patent 6,118,472, in view of Detwiler et al, U.S. Patent 5,825,814.

9. As per claim 1, Dureau et al taught the invention substantially as claimed including a system for transmitting Internet information to the requesting users via a wide-band satellite transmission channel (col.2, lines 27-32, 41-51, col.3, lines 51-56, col.4, lines 40-49) said in order to request information, the users are connected with a base station (col.3, lines 51-53, col.4, lines 10-14, 28-30) which is connected to the Internet (col.4, lines 28-30, 35-37, 40-41). The

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user can load information in his computer via the wide-band satellite transmission channel (col.4, lines 48-50, col.5, lines 63-67, col.6, lines 1-2).

10. Dureau et al did not specifically teach that the connection to the Internet is via a data transmitting short-wave electromagnetic path according to the TCP/IP Protocol, the requested information for the user is placed in a mailbox in the Internet and that the user is informed of the thusly-placed information via the short-wave electromagnetic path. Although Dureau et al did not teach to that the connection to the Internet is via a data transmitting short-wave electromagnetic path according to the TCP/IP Protocol, it is well known in the art to use wireless TCP/IP transmission. Furthermore, it is well known that wireless connection can be of radio communication transmitting short-wave electromagnetic signal. Detwiler et al taught a radio communication system that connects to the Internet using HF/MF frequencies (col.3, lines 26-29, col.5, lines 51-55, 63-65, col.6, lines 5-10, col.7, lines 17-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dureau et al, Detwiler et al and the use of wireless TCP/IP to enable Dureau et al's system to connect to the Internet using radio communication according to TCP/IP protocol.

11. Although Dureau et al did not teach that the requested information is placed in a mailbox in the Internet Dureau et al did teach that the requested information is sent to the decoder for decoding before it is sent to be displayed (col.5, lines 53-67, col.6, lines 1-2). Furthermore, Dureau et al taught to use a cache to store frequently requested information to save process time (col.7, lines 1-7). Detwiler et al also taught to use storage to store the filed (col.6, lines 53-61).

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It would have been obvious to one of ordinary skill in the art to use the cache in Dureau et al's system to store the decoded information for users to load from it to save process time and minimize repeated requests. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dureau et al and Detwiler et al to include storages in Dureau et al's system to store the received request information.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wilson, U.S. Patent 6,160,993, disclosed LEO satellite communication.

Alterman et al, U.S. Patent 6,041,045, disclosed Radio communication system.

Rothblatt, U.S. Patent 6,105,060, disclosed LEO satellite and radio broadcast system.

Leuca et al, U.S. Patent 6,201,797, disclosed Internet access for airborne passengers.

Boys, U.S. Patent 6,314,094, disclosed Internet-capable radio.

13. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (703)305-0438. The examiner can normally be reached on 8 AM to 5 PM Tuesday to Friday and every other Monday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)305-9678. Additionally, the fax numbers for Group 2100 are as follows:


Official Responses: (703) 746-7239

After Final Responses: (703) 746-7238

Draft Responses: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-5140.

ksl
January 24, 2003


ZARNI MAUNG
PRIMARY EXAMINER